

PHMSA State Damage Prevention Grants Awarded in 2008

Background:

Section 2 of the PIPES Act added a new State Damage Prevention Program Grant program to the Federal Pipeline Safety Law as 49 USC §60134. Any State authority that is or will be responsible for preventing damage to underground pipeline facilities designated by the Governor is eligible as long as the State participates in the oversight of pipeline transportation pursuant to an annual 49 U.S.C. §60105 certification or 49 U.S.C. §60106 agreement in effect with PHMSA.

The purpose of these grants is to establish comprehensive State programs designed to prevent damage to underground pipelines in States that do not have such programs and to improve damage prevention programs in States that do. The Act sets forth nine elements of an effective State damage prevention program:

- *Element (1):* Participation by operators, excavators, and other stakeholders in the development and implementation of methods for establishing and maintaining effective communications between stakeholders from receipt of an excavation notification until successful completion of the excavation, as appropriate.
- *Element (2):* A process for fostering and ensuring the support and partnership of stakeholders, including excavators, operators, locators, designers, and local government in all phases of the program.
- *Element (3):* A process for reviewing the adequacy of a pipeline operator's internal performance measures regarding persons performing locating services and quality assurance programs.
- *Element (4):* Participation by operators, excavators, and other stakeholders in the development and implementation of effective employee training programs to ensure that operators, the onecall center, the enforcing agency, and the excavators have partnered to design and implement training for the employees of operators, excavators, and locators.
- *Element (5):* A process for fostering and ensuring active participation by all stakeholders in public education for damage prevention activities.
- *Element (6):* A process for resolving disputes that defines the State authority's role as a partner and facilitator to resolve issues.
- *Element (7):* Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.
- *Element (8):* A process for fostering and promoting the use, by all appropriate stakeholders, of improving technologies that may enhance communications, underground pipeline locating capability, and gathering and analyzing information about the accuracy and effectiveness of locating programs.
- *Element (9):* A process for review and analysis of the effectiveness of each program element, including a means for implementing improvements identified by such program reviews.

Grants awarded under the State Damage Prevention Program are intended for States to establish or improve the overall quality and effectiveness of their programs that are designed to prevent damage to underground pipeline facilities.

Review:

A team composed of representatives from stakeholder groups involved with either the Excavation Damage Prevention Initiative (EDPI) or damage prevention efforts in general reviewed and evaluated each completed application that met the eligibility requirements:

- 2 representing the National Association of Pipeline Safety Representatives (NAPSR). The two NAPSR designees could not also be applicants.
- 2 representing excavators; specifically 1 from the Association of General Contractors (AGC) and one from the National Utility Contractors Association (NUCA)
- 2 representing One Call Centers through the Common Ground Alliance (CGA). The two designees could not also be applicants.
- 1 representing the American Gas Association (AGA)
- 1 representing the Interstate Natural Gas Association of America (INGAA)
- 1 representing the Association of Oil Pipe Lines (AOPL)
- 1 PHMSA Community Assistance Technical Services (CATS) Manager
- 1 PHMSA State Programs Representative

The review team evaluated applications based on the following seven (7) criteria listed below. .

- (1) The quality of the statewide damage prevention program, or a plan to develop a program within 4 years, that implements the 9 elements of an effective damage prevention program.
- (2) The existence of authority under State law to assess civil penalties for violations of the State's One-Call laws and a demonstrated ability to exercise such authority; or alternatively, a commitment to seek action from the State legislature to obtain civil enforcement authority.
- (3) A demonstrated commitment to being inclusive and reaching out to invite participation of all potential stakeholders of a State-wide damage prevention program and evidence of a plan to continue to do so.
- (4) The existence of, or near term plan, to educate the public and other parties who can benefit from, or who are essential to, the success of the State-wide damage prevention program, including use of the 811 system to call before digging.
- (5) A transparent means to measure and report to stakeholders on the effectiveness of the State-wide damage prevention program.
- (6) A commitment to quality controls in timing, personnel, and costs for deliverables offered in exchange for the grant.
- (7) A risk factor based on incident and pipeline mileage data submitted to PHMSA's databases for each State applying for a grant. The risk factor was calculated as the sum of weighted miles of gas distribution, gas transmission, and hazardous liquid pipeline mileage in the State. PHMSA used the miles of gas distribution pipeline in each State from the PHMSA gas distribution calendar year 2006 annual report data set, as of October 19, 2007, and transmission and hazardous liquid pipeline mileage in each State from the National Pipeline Mapping System, as of May 8, 2007. The weighting values are the percentage of Serious Incidents caused by excavation damage from 1997 through 2006 occurring on each pipeline system type. Serious Incidents are those incidents including a fatality or in-patient hospitalization. The weighting values are 81 for gas distribution, 12 for gas transmission, and 7 for hazardous liquid. No Serious Incidents caused by excavation damage were reported for gas gathering pipelines from 1997 through 2006.

2008 Grantees, Amount of Award, and Scope of Work

Funding Opportunity Title: "State Damage Prevention Program"

Funding Opportunity Number: DTPH56-08-SN-0001

CFDA Number: 20.720

Award Type: Grant Agreement

A summary of each grant is provided below. For more information, contact the respective Principal Investigator (PI), Agreement Administrator (AA), or Agreement Officer's Technical Representative (AOTR).

- **Indiana Utility Regulatory Commission (IURC)**
 - **Basic Award Information**

Award Number: DTPH56-08-G-PHPS01
Project Title: State Damage Prevention Program
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**

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 - **Specific Objective(s) of the Agreement**

Under this grant award IURC will: (1) pursue the establishment of an active, engaged Regional Common Ground Alliance (CGA) and (2) provide statewide, random quality control audits of the dig process, from receipt of notification to actual excavation.
 - **Workscope**

Under the terms of this agreement, the Grantee will address elements 1-9 listed in 49 USC §60134.
- **Georgia Public Service Commission**
 - **Basic Award Information**

Award Number: DTPH56-08-G-PHPS02
Project Title: Georgia Utility Facility Protection
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**

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- **Specific Objective(s) of the Agreement**
Under this grant award Georgia Public Service Commission will seek Legislative approval to add up to three (3) additional positions, one motor vehicle, and equipment to enhance enforcement of the Georgia Utility Facility Protection Act (GUFPA). This would provide one (1) field investigator position with a priority for investigating high profile damages in the Atlanta metro area and two (2) positions performing assigned investigations to concentrate on reported violations to the Commission estimated in excess of 7,000 annually.
- **Workscope**
Under the terms of this agreement, the Grantee will address elements 3, 6, 7, and 9 listed in 49 USC §60134.
- **Public Utilities Commission of Nevada (PUCN)**
 - **Basic Award Information**
Award Number: DTPH56-08-G-PHPS03
Project Title: Nevada's One-Call Project
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**
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 - **Specific Objective(s) of the Agreement**
Under this grant PUCN will:
 - Continue ongoing implementation of the 9 elements as set forth in the PIPES Act.
 - Start new initiatives to implement the 9 elements as set forth in the PIPES Act.
 - Continue field enforcement of contractors that do not have a One-Call ticket or are repeat offenders.
 - **Workscope**
Under the terms of this agreement, the Grantee will address elements 1- 9 listed in 49 USC §60134.
- **Utility Notification Center of Colorado (UNCC)**
 - **Basic Award Information**
Award Number: DTPH56-08-G-PHPS04
Project Title: A program to help Colorado establish collaborative stakeholder efforts, implement more effective stakeholder communications, and target appropriate 811 awareness, education and training programs

Grant Amount: \$100,000.00

○ **Grant Project Manager/Principal Investigator (PI)**

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○ **Specific Objective(s) of the Agreement**

Under this grant award UNCC will assist Colorado in accomplishing the following: (a) establish collaborative stakeholder efforts; (b) implement more effective stakeholder communications about the specific root causes; and (c) target appropriate 811 awareness programs as well as education and training to specific stakeholder groups at local levels in the following seven ways:

- by creating a statewide Damage Prevention Action Team (DPAT) to communicate and foster the EDPI 9-Element initiatives, to disseminate damage prevention findings, to help support the efforts of local Damage Prevention Councils (DPCs), and to coordinate state damage prevention advocacy;
- by establishing or working with local DPCs supported by representative industry stakeholders; including owners and operators, locators, excavators, the One-Call center, associations, safety and regulatory agencies, and public officials, etc.;
- by collecting, analyzing and reporting timely and comprehensive damage prevention findings; including One-Call activity, facility damage data, and useful demographic information; to each local DPC through a central communication process and web portal;
- by empowering local DPCs to respond to this information and take appropriate action to investigate and remediate primary root causes of damage through stakeholder awareness, education and training;
- by delivering CGA's 811 public awareness outreach information to state and local public officials and encouraging active participation in damage prevention efforts;
- by developing and delivering comprehensive stakeholder education and training programs in subsequent years that address the primary root causes of facility damage; and
- by providing an ongoing and timely county "Damage Prevention Report Card" that provides regular feedback to

the local DPCs and all stakeholders on the success of actions and remedial efforts.

- **Workscope**

Under the terms of this agreement, the Grantee will address elements 1, 2, 3, 4, 5, 7, and 8 listed in 49 USC §60134.

- **Tennessee Regulatory Authority (TRA)**

- **Basic Award Information**

Award Number: DTPH56-08-G-PHPS05

Project Title: Development of Damage Prevention Enforcement Program for the State of Tennessee

Grant Amount: \$64,900.00

- **Grant Project Manager/Principal Investigator (PI)**

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- **Specific Objective(s) of the Agreement**

Under this grant award TRA will perform a detailed evaluation of enforcement programs in place in the States of Georgia and Virginia. The results of the evaluation will be used to determine the optimum revisions to state damage prevention law, and organizational and operational structure of the State of Tennessee Damage Prevention Enforcement Section. This will include a preliminary development of damage prevention enforcement policies and procedures. This project will utilize the State Damage Prevention Program Grant to defray the cost of personnel, travel and office equipment necessary to accomplish the evaluation and development work for the State Damage Prevention Enforcement Section.

- **Workscope**

Under the terms of this agreement, the Grantee will address element 7 listed in 49 USC §60134. In addition, the Grantee will layout a four year plan to address 8 of the 9 elements listed in 49 USC §60134 (1, 2, 3, 4, 6, 7, 8, and 9).

- **Minnesota Department of Public Safety**

- **Basic Award Information**

Award Number: DTPH56-08-G-PHPS06

Project Title: State Damage Prevention Project

Grant Amount: \$100,000.00

- **Grant Project Manager/Principal Investigator (PI)**

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- **Specific Objectives of the Agreement**

Under this grant award the Minnesota Department of Public Safety will upgrade its data management system, which is utilized for enforcement activities, analysis, and documentation. The required upgrade will improve the portability of all compliance and enforcement activities common to state pipeline safety programs, while ensuring consistency with other systems. The current system is at least a generation behind currently available technology. The system has been in place for several years and modifications are necessary to maximize effectiveness. Modifications utilizing the older technology are impractical.

- **Workscope**

Under the terms of this agreement, the Grantee will address elements 3, 5, 6, 7, and 9 listed in 49 USC §60134.

- **State of Wyoming, Public Service Commission**

- **Basic Award Information**

Award Number: DTPH56-08-G-PHPS07
Project Title: State Damage Prevention Project
Grant Amount: \$31,740.00

- **Grant Project Manager/Principal Investigator (PI)**

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- **Specific Objective(s) of the Agreement**

Under this grant award the State of Wyoming, Public Service Commission will host a one-day workshop to inform the enforcement agencies of the benefits of enforcing the One Call Law and provide a forum for improvement. This workshop will bring all relevant state stakeholders, especially those not familiar with Wyoming's program, to discuss the importance of damage prevention programs in general, and to educate them on Wyoming's specific program.

- **Workscope**
Under the terms of this agreement, the Grantee will address element 7 listed in 49 USC §60134. In addition, the Grantee will prepare an assessment of 8 elements listed in 49 USC §60134 (1, 2, 3, 4, 5, 6, 8, and 9).
- **Department of Commerce, DPU-Pipeline Safety, Utah**
 - **Basic Award Information**
Award Number: DTPH56-08-G-PHPS08
Project Title: Utah 2008 Damage Prevention Improvement
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**
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 - **Specific Objective(s) of the Agreement**
Under this grant award the Department of Commerce, DPU-Pipeline Safety, Utah will: 1) Assess the needs to improve the communication between stakeholders from receipt of an excavation notification thru the successful completion; 2) Conduct damage prevention awareness seminars; 3) Work on proposed legislation to establish a dispute board, and conduct meetings statewide to inform and educate stakeholders of new legislation, if passed; and 4) Expand its role as a reporting agency within the state of Utah relating to the CGA's Damage Information Reporting Tool (D.I.R.T.).
 - **Workscope**
Under the terms of this agreement, the Grantee will address elements 1, 5, 6, 7, and 8 listed in 49 USC §60134.
- **Virginia State Corporation Commission**
 - **Basic Award Information**
Award Number: DTPH56-08-G-PHPS09
Project Title: Virginia State Damage Prevention Program
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**
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- **Specific Objective(s) of the Agreement**

Virginia State Corporation Commission's primary objective under this grant will be to research and implement the incorporation of Global Positioning System (GPS) with underground utility locating equipment. This would allow the collection of data relative to markings of underground facilities. This data will be used to:

- Accurately document marking of facilities (electronic manifest);
- Provide an accurate depiction of marks on notification center maps to excavators as a check against marks in the field;
- Document compliance by pipeline operators with state and federal laws regarding marking of facilities before excavation; and
- Provide location data to operators for verification of existing facility as-builts, maps and plans.

- **Workscope**

Under the terms of this agreement, the Grantee will address elements 1 and 8 listed in 49 USC §60134.

- **Kansas Corporation Commission**

- **Basic Award Information**

Award Number: DTPH56-08-G-PHPS10

Project Title: State Damage Prevention Program

Grant Amount: \$73,667.00

- **Grant Project Manager/Principal Investigator (PI)**

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- **Specific Objective(s) of the Agreement**

Under this grant award Kansas Corporation Commission will establish a pilot enforcement program in two large metropolitan areas within Kansas (Wichita and Topeka).

- **Workscope**

Under the terms of this agreement, the Grantee will address elements 1, 6, 7, and 9 listed in 49 USC §60134.

- **Railroad Commission of Texas**

- **Basic Award Information**

Award Number: DTPH56-08-G-PHPS11

Project Title: Digitizing Enforcement Actions

Grant Amount: \$100,000.00

- **Grant Project Manager/Principal Investigator (PI)**
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- **Specific Objective(s) of the Agreement**
 Under this grant award the Railroad Commission of Texas will digitize documents associated with enforcement activities stemming from third party damage to underground pipeline facilities. As a result, the Commission will enhance its online data reporting system by providing open access to documents associated with enforcement activity.
- **Workscope**
 Under the terms of this agreement, the Grantee will address elements 6 and 7 listed in 49 USC §60134.
- **New Jersey Board of Public Utilities**
 - **Basic Award Information**
 Award Number: DTPH56-08-G-PHPS12
 Project Title: New Jersey Board of Public Utilities – 2008 Damage Prevention Program Grant
 Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**
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 - **Specific Objective(s) of the Agreement**
 Under this grant award NJBPU will develop a simulation training platform and data mining tool to support NJBPU in their statewide initiative of damage prevention. Specifically, the simulation training platform will serve as an assessment tool for emergency responders. The data mining tool will be used to develop training based on the needs of first time (infrastructure hit) offenders.
 - **Workscope**
 Under the terms of this agreement, the Grantee will address elements 4, 8, and 9 listed in 49 USC §60134.

- **Vermont Department of Public Service**
 - **Basic Award Information**

Award Number: DTPH56-08-G-PHPS13
Project Title: Vermont State Damage Prevention Program Grant
Grant Amount: \$99,440.00
 - **Grant Project Manager/Principal Investigator (PI)**

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 - **Specific Objective(s) of the Agreement**

Under this grant award Vermont Department of Public Service will perform a study on the scope and effectiveness of the underground utility damage prevention system within the state of Vermont. The study will help to gain a better understanding of the system in place, identify deficiencies, and develop possible methods to effectively address the nine elements described in the Federal Pipeline Safety Law 49 USC§60134.
 - **Workscope**

Under the terms of this agreement, the Grantee will address all 9 elements listed in 49 USC §60134.
- **Dig Safely New York, Inc.**
 - **Basic Award Information**

Award Number: DTPH56-08-G-PHPS14
Project Title: New York State Damage Prevention Program
Grant Amount: \$100,000.00
 - **Grant Project Manager/Principal Investigator (PI)**

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 - **Specific Objective(s) of the Agreement**

Under this grant award Dig Safely New York will implement the use of sound and practical tools to help all stakeholders improve and contribute to New York's damage prevention issues. Specifically, funding will be used for three different projects:

 - Project 1 will be used for staff training;
 - Project 2 will be used to expand the web application into a more focused Virtual Private Damage Information Reporting Tool (DIRT); and

- Project 3 will involve the development of a state-of-the-art plastic pipe locating device.
- **Workscope**

Under the terms of this agreement, the Grantee will address elements 3, 7, 8, and 9 listed in 49 USC §60134.
- **New Hampshire Public Utilities Commission**
 - **Basic Award Information**

Award Number: DTPH56-08-G-PHPS15
Project Title: NH State Damage Prevention Program
Grant Amount: \$57,750.00
 - **Grant Project Manager/Principal Investigator (PI)**

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 - **Specific Objective(s) of the Agreement**

Under this grant award New Hampshire Public Utilities Commission will design and implement a computer-based system that tracks, measures, analyzes and reports the overall effectiveness of Damage Prevention Training Programs.
 - **Workscope**

Under the terms of this agreement, the Grantee will address element 4 listed in 49 USC §60134.

Agreement Administrator (AA) for all

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